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Attorneys for Defendants  
Morgan Stanley & Co. Incorporated, Merrill Lynch, Pierce,  
Fenner & Smith Incorporated, Jefferies & Company, Inc.,  
Cowen & Company, LLC and ThinkEquity Partners LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

BIKASH MOHAN MOHANTY, On Behalf of  
Himself and All Others Similarly Situated,

Plaintiff,

v.

AMIR BASSAN-EZKENAZI, RAN OZ,  
FREDERICK BALL, GAL ISRAELY, DEAN  
GILBERT, KEN GOLDMAN, LLOYD  
CARNEY, BRUCE SACHS, ROBERT SACHS,  
GEOFFREY YANG, MORGAN STANLEY &  
CO. INC., MERRILL LYNCH, PIERCE,  
FENNER & SMITH, INC., JEFFERIES & CO.,  
INC., COWEN AND CO., INC., THINKEQUITY  
PARTNERS LLC and BIGBAND  
NETWORKS, INC.

Defendants.

Case No. 07-cv-5101-SBA

**CLASS ACTION**

**NOTICE OF JOINDER AND  
JOINDER TO MOTION FOR  
ADMINISTRATIVE RELIEF TO  
CONSIDER WHETHER CASES  
SHOULD BE RELATED**

1 TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that defendants Morgan Stanley & Co. Incorporated, Merrill  
3 Lynch, Pierce, Fenner & Smith Incorporated, Jefferies & Company, Inc., Cowen & Company,  
4 LLC and ThinkEquity Partners LLC hereby join in the *Motion for Administrative Relief to*  
5 *Consider Whether Cases Should Be Related* filed on January 3, 2008 by defendants BigBand  
6 Networks, Inc., Amir Bassan-Eskenazi, Ran Oz, Frederick A. Ball, Gal Israely, Dean Gilbert,  
7 Kenneth E. Goldman, Lloyd Carney, Bruce I. Sachs, Robert J. Sachs, and Geoffrey Y. Yang.

8 Dated: January 4, 2008

Respectfully submitted,

9 ORRICK, HERRINGTON & SUTCLIFFE LLP

10 By: /s/ Michael C. Tu  
11 Michael C. Tu

12 Attorneys for Defendants  
13 Morgan Stanley & Co. Incorporated, Merrill  
14 Lynch, Pierce, Fenner & Smith Incorporated,  
15 Jefferies & Company, Inc., Cowen & Company,  
16 LLC and ThinkEquity Partners LLC  
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